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JUL 26 2006

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REFER IN REPLY TO THE FOLLOWING:

5-1100

(Re: Juan Indians.)

ADDRESS ONLY THE
COMMISSIONER OF INDIAN AFFAIRSLaid off.
6-10-16.
P M

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

WASHINGTON

Visalia, Calif., Sep. 21, 1916.

Commissioner Indian Affairs,

Washington, D. C.

Dear Sir:

Following my letter of the 5th, instant, in regard to the above named Indians, in particular to the suggested effort as outlined in Office letter of July 6, 1916, to find and purchase suitable land for their removal, have the honor to submit further report touching their interests.

In the hope that I might find suitable location for their removal either by purchase or allotments on Government lands, as stated in my last letter, persuaded Juan Loren, Chief of this band to accompany me on my recent trip through portions of Kern, Inyo and Tulare counties, having gone as far to the northwest as Bishop, California.

We were encouraged by a citizen and friend of the Indians living in the vicinity of Los Angeles, Calif., to the hope that we would likely find desirable location for these Indians on Government lands within the Sequoia National Forest some 10 to 20 miles to the west or southwest from Independence.

Realizing that these Indians have had more experience with livestock on the ranges than other lines of employment, and therefore, the men were essentially stockmen, concluded their best interests suggested a stock country. FILED 1. 11. 16

Loren seemed favorably impressed with the idea that we

Return to Indian Office.

might find suitable lands for his people.

I fully realized from the beginning that unless Nevada was favorably impressed with any new location it would prove out of the question to bring about a removal, however desirable or suitable any location accessible might be, and therefore, the necessity of taking the Chief with me on this trip.

I regret to have to report that this old Indian seemed to lose hope and became discouraged as soon as we began to reach the higher altitudes of the Sierra Nevada Mountains. He hated the perpetual snow. Unfortunately he had lost his leg with him to the west and south without his gun. The Indians were quite cool, the result being that he was unable to make any attempt to change his attempt to follow his people to quit the beautiful valley of the Snake Canyon where they have continuously lived their entire lives, with many many years, as there are quite a number of other old Indians in his band, to spend the remainder of their lives in the cold and the high, inhospitable climate.

From the fact of this. Had a fellow going him a very good gun failed to make him up to the country, for on leaving camp he was to go to the north, where in the early morning of the morning would give it all to me and my people. When in the morning they were to go further taking what I would see. I was of telling my people to go from the warm Snake Valley to the cold country, why they would not do it.

While the Indians suggested for a period of from 4 months, usually from middle of May to middle of Sept., some of the

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as a stock country and pleasant place to live, in that it is ~~now~~ supplied with fine mountain grasses, water and timber for all domestic uses; yet, on account of the severe winter during the rest of the year has to be abandoned by both man and livestock.

Even if it could be done it would be a mistake to remove these Indians from their present warm location to so greater ~~high~~ higher and cold altitudes, as such removal would likely sooner or later result in the earlier death of a number of the older Indians of this band; and quite a percent are old and some very old.

We spent some little time going and returning on this trip at Onyx, northern Kern county, where Lozada has a first cousin, an old full blood Piute Indian by the name of Frank Chicea living on his allotment of more than 20 years ago which comes up to the little town of Onyx, in the hope that we might find some suitable and available location for Lozada's people in the locality of his kinsman; however, found all land worth while had been located upon either by the whites or Indians.

On my recent revisit to the Tejon Indian Rancheria I made it a point to again call on Mr. J. J. Lopez, manager of the syndicate company, who as will be ~~per~~ ~~filled~~ had promised to assist me in locating these Tejon Indians elsewhere; however, as I had anticipated, he informed me that he had been unable to find suitable location. I am reasonably certain that he has made no special effort nor will make such effort for the removal of these Indians. In this last interview he had to say, "the company has no desire to remove those of the Indians who have signed lease contracts recognizing the right

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and title in the company to the lands they occupy; further saying that he felt so great a sympathy for these old Indians that in most cases he had dug down into his own pocket and paid the \$1. named in the lease contracts they have signed, or words in effect; and that if old Lozada would signed such contract he would not be disturbed.

It is evident, as suggested by the Office, that the suit against Lozada has been brought by the owners of the ranch merely to avoid any possibility of the Indians claiming lands of the lifetime occupancy of themselves and their posterity at this time by adverse possession.

In connection with the suit against Lozada I requested of Mr. E. J. Emmons, Lozada's attorney, a statement relative to the filling and status of the suit, and in compliance with that request he has kindly furnished me with the herewith accompanying two page letter of Sep. 18, 1916, wherein it will be noted he not only touches concerning the filling and status of the case, but has deemed it pertinent and proper to speak in the most forcible and positive language concerning other matters past and present supposed to relate to the interests of these Indians. I beg to ask the most careful reading and consideration of this letter of Mr. Emmons, for I am fully convinced he has been and is yet a true, valuable and entirely unselfish friend of these most unfortunate Indians.

In connection with what he has to say in defence of Mr. T.C. Castro, I desire to add that as to what he has said in his defence and commendation of his deceased father there can be no

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question, as I have heard similar words spoken by a number of the leading citizens of Bakersfield and vicinity.

There is no question but this man, T.C. Castro, has been, at least since his father's death one of the truest and most valuable friends these poor Indians have had. I am absolutely certain that the charges made against Castro by Cahandler in every particular are untrue, and, as suggested by Mr Ramons made for the purposes he assigns. The facts are the reverse of these charges are true, that is, Castro, to use the language of Judge Peairs, as near as I can now recall them, has given more of his time and money than he could well afford, in that being a poor man with a large family, has given his time and money that should have been spent on his family. Being fully convinced of the falsity of these charges, made by a man of supposed wealth, and known education and ability against a comparatively poor man with little education and large dependent family who has done so much for these almost friendless Indians, at least until very recently, almost certain of more or less risk, if not at serious peril, felt that one so true and brave for the weak when in the right, should have the advantage of the false and slanderous charges made against him. The charges are specific and direct, and as heretofore stated ~~stated~~, if true, Castro should pay the penalty as a felon, if untrue, it occurs to me the party making them should be held responsible; that under all the circumstances the party making such charges under the circumstances they were evidently made ^{should not} be permitted to escape under the plea of personal privilege. With this conviction I was unable to see just how I

could
successfully, as requested by the Office in its letter of
Mar. 23, 1916, reference 26906-16- 38388-14., "take Mr. Chandle's
letter into consideration, together with the information received
from Mr. Castro and Chief Lezada, giving the Office the benefit
of my views in regard thereto," without giving Mr. Castro the
advantage of so much of the charges against him as related to
the unlawful collection and appropriation of moneys from these
Indians. To keep Mr. Castro and his friends in the dark or
ignorance of them at least would prove a serious handicap,
if not an effectual bar to their refutation, if untrue.

In conclusion beg to say I have almost given up that I
shall likely succeed in securing suitable and available lands
by purchase or allotments for the removal of these Indians, at
least very far distant from their present location.

The Office should understand all the older and middle
aged Indians of this band, in fact all but a few of the younger,
children, are full bloods, and except Chief Lezada, are without
any education and but few have even a slight knowledge of the
English language; that all have lived on present locations, or
very close, in sight, all their lives; knowing no other locality,
but little of other people or environments; and, Indian-like,
and more under the circumstances with these, are more ignorantly
and persistently attached than ordinarily to the Tejon Canyon
and its narrow thread of valley land where nestles their little
cabin homes. It is but natural that in and around this spot of
a long life-time association clusters many sacred memories of,
and to them, eventful past.. Their dead as far back as they know
are sleeping their last sleep within their every day sight.

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It will unquestionably prove a most difficult task to remove these Indians very far from present location, evidently it would require force to remove them.

Since the suit has been filed for the ejectment of Lozada he seems more determined than ever to remain at his present location. Possibly if their Chief could be persuaded of as good or better location than their present one, and he could be influenced to persuade his people, possibly under such impreable conditions they could be removed without force.

I yet have slight hopes that we may succeed in securing sufficient tracts of untaken Government land within Township 11 North, Ranges 16 and 17, and possibly Range 15, same Township, and possibly the securing of other private or State lands, in close proximity to their present location, to justify the earliest and most persistent efforts; and, with ^{this} in view I am herewith enclosing a sketch map of said Range 17, having noted thereon according to data kindly furnished me by Mr. H. K. Palmer, Assist. Engineer at Los Angeles, in "V" the untaken Gov. lands:

According to this data it will be noted that the following lands may be subject to location, and I have in mind, if data is correct, that same may ^{be} set aside as an Indian Reservation, viz:

W. $\frac{1}{2}$ of the N.W. $\frac{1}{4}$, the N.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$, the N.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ and fractl. S.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ Section 2: also, the N.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ and the S.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ Section 12: also, the S. $\frac{1}{4}$ of the S. $\frac{1}{4}$ Section 26: also, the N. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ and S.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ and S.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ Section 28: and also, the E. $\frac{1}{4}$ and W. $\frac{1}{4}$ of the W. $\frac{1}{4}$ Section 34, aggregating about 1070 acres. 11

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That likely there are as many or more tracts in adjoining Range 16 to the east as in this Range 17.

My suggestion is, if possible to accomplish, to have set aside for use of these Indians all Government lands remaining untaken within these three Ranges and Township at the earliest possible moment. My information is, and there may be some truth in it, that there has been considerable fraud practiced by this ranch syndicate company in its acquirement of lands, using ^{straw} men and other questionable methods of securing land within its enclosure in order to prevent these Indians and others from getting hold in this territory.

As soon as I reach Sacramento I shall try and ascertain whether any of the lands designated as "State Lands" on the enclosed map can be purchased; also take up with proper authorities the purchase of the 320 acres in Section 32 supposed to belong to the University of California and any possible "Railway Lands" within close range of these Indians village that may not have been purchased by the syndicate.

I have in mind if we can accomplish the setting aside any considerable portion of this supposed Government untaken land and be able to add thereto any considerable portion of ^{other} lands as suggested, that we will have succeeded in forever retaining these Indians in their beloved Tejon Valley, and that ultimately, if desired, the syndicate people will agree to sell some of the small portions on which ^{their} small village homes are located.

Will ask that the Office write at earliest moment fully in the premises, addressing me at Fresno, as, if I have moved on

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from there proper forwarding orders will insure my mail promptly reaching me elsewhere.

I deem it advisable to further add, in event the Office should conclude to request the Department of Justice to join and assist Mr. Emmens in his proposed fight for this Indian Chief, Nezada, or deem it advisable through other channels to attempt through the courts of the country ^{to} maintain the rights of these Indians by reason of their continuous lifetime occupancy, will say that unquestionably such occupancy can be proven by a number of the older citizens of Kern County yet living. The case of these Indians under this contention is surely one of the strongest, if not strongest in the State of California. As suggested by Mr. Emmens, I am quite sure that the continuous occupancy of these Indians and their ~~ancestors~~ can be proven for ever one hundred years.

Hoping for an early reply fully covering all matters in the interests of these Indians as from this further report may be deemed advisable, I am,

Very respectfully,

John J. Ferrell
Special Commissioner Indian Service.

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